

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 15-88
Post-Transition Table of DTV Allotments,)	RM-11747
Television Broadcast Stations)	
(Bend, Oregon))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: May 14, 2015

Released: May 14, 2015

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking¹ issued in response to a petition for rulemaking filed by TDS Broadcasting LLC (“TDS”), the licensee of KOHD, channel 51, Bend, Oregon. TDS requests the substitution of channel 18 for channel 51 at Bend.

2. TDS filed comments reaffirming its interest in the proposed channel substitution and stating that if the proposal is granted, it will promptly file an application for the facilities specified in its rulemaking petition and construct the station. TDS also reiterates that grant of the petition would serve the public interest because its operation on channel 18 would eliminate potential interference to and from wireless operations in the Lower 700 MHz A Block located directly adjacent to channel 51 in the Portland, Oregon market, and permit the wireless licensee to expand service to additional consumers sooner than would otherwise be possible.²

3. We believe the public interest will be served by substituting channel 18 for channel 51 at Bend for the reasons stated by TDS. Channel 18 can be substituted for channel 51 at Bend as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission’s rules, at coordinates 44-04-40.6 N. and 121-19-56.9 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission’s rules with the following specifications:

¹ *Amendment of Section 73.622(i), Post-Transition Table of Allotments, Digital Television Broadcast Stations (Bend, Oregon)*, Notice of Proposed Rulemaking, DA 15-444 (rel. Apr. 10, 2015).

² TDS Apr. 29, 2015 Comments at 1.

City and State	Channel	Power (kW)	Antenna HAAT (meters)	Service Pop. (thous.)
Bend, Oregon	18	84.1	205.7	153

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedure Act,³ as TDS requests.⁴ An expedited effective date is necessary in this case in light of the upcoming Pre-Auction Licensing Deadline by which stations must license newly constructed facilities in order for the facilities to be eligible for protection in the broadcast incentive auction repacking process.⁵

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective immediately after the date of publication of this Report and Order in the Federal Register, the Post-Transition Table of DTV Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel Nos.</u>
Bend, Oregon	*11, 18, 21

6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, TDS Broadcasting LLC shall electronically submit to the Commission a minor change application for a construction permit specifying channel 18 in lieu of channel 51 on Form 2100, Schedule A, using the Commission's Licensing Management System (<https://enterprise.filing.fcc.gov/dataentry/longin.html>).

7. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning the proceeding listed above, contact Joyce Bernstein, Media Bureau, (202) 418-1647.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

³ 5 U.S.C. § 553(d)(3).

⁴ TDS Comments at 2.

⁵ *See Media Bureau Designates May 29, 2015 as Pre-Auction Licensing Deadline*, Public Notice, 30 FCC Rcd 393 (MB 2015). *See also Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567 (2014).